

SEVENTY-FOURTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Henry C. Nesbitt, Church of God Minister, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 89

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moor (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

The Speaker announced that Representative Huskey was excused because of business.

The Speaker announced that Representative Drew was excused because of legislative business.

The Speaker announced that Representative Stafford was excused because of illness.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1401, 1641, 1813 and 2057; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1401, 1641, 1813 and 2057.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1588, 1589, 1788, 1820, 1827, 1889, 1914, 1976, 2007, 2109, 2135, 2259, 2260, 2261, 2262 and 2263; House Joint Resolutions Nos. 343, 375, 382, 389, 419, 420, 422, 424, 428, 429, 436, 491 and 494; with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1955, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

The Honorable David H. Welles
Acting Chief Clerk,
House of Representatives
State Capitol
Nashville, Tennessee 37219

Dear Mr. Welles:

In accordance with House Resolution No. 136, Governor Lamar Alexander has directed me to return to the House of Representatives House Bill No. 1955 / Senate Bill No. 1832 for further action.

Very truly yours,

WILLIAM C. KOCH, JR.
Counsel to the Governor

On motion of Mr. Rhinehart, House Bill No. 1955 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

210--Relative to placing vending machines in Welcome Center;

295--Relative to honoring Mandy Chere Arnold;

465--Relative to naming dam on Duck River, the "Joe L. Evins Dam";

490---Relative to commending Tammy J. Robinson;

495--Relative to honoring Coach "Dee" Harris;

498--Relative to commending Merrill Hill;

499--Relative to honoring Mrs. Mary Sue Persons;

500--Relative to memory, Mrs. Sarah Hurt Rummage Baker;

501--Relative to honoring Nancy Boone and Campus School Choir;

505--Relative to appreciation, efforts to save life, Representative Herndon; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1810--To make certain exemption, credit unions.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 1, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

Mr. Bivens moved that House Bill No. 1592 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Mr. Kent moved that House Bill No. 1370 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Mr. Murray moved that House Bill No. 1498 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1896--To make certain provisions, location of bingo games.

Mr. Kernell moved that House Bill No. 1896 be passed on third and final consideration.

Mr. McKinney moved that House Bill No. 1896 be re-referred to the Committee on Judiciary, which motion failed by the following vote:

Ayes	34
Noes	42
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Elsea, Ford, Harrill, Henry, Hudson, Kelley, King (Washington), McAfee, McKinney, Montgomery, Moody, Murray, Nance, Napier, Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Wallace, Webb, Wolfe and Wood--34.

Representatives voting no were: Bivens, Brewer, Clark (Davidson), Covington, Disspayne, Dixon, Duer, Ellis, Frensey, Gafford, Gaia, Gill, Hassell, Hillis, Hurley, Jared, Johnson, Kent, Kernell, King (Shelby), Kisber, Love, McNally, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Severance, Stallings, Tanner, Turner (Hamilton), Ussery, Wheeler, Whitson, Williams, Wix, Yelton and Mr. Speaker McWherter--42.

Representatives present and not voting were: DePriest, Miller and Work--3.

Mr. Kernell moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1896 by adding after the amendatory language of SECTION 3 the following additional language:

Provided further, that any bingo game authorized hereunder shall be located and conducted in a single specific building, wherein all of the players and those conducting the game are physically located, it being recognized that bingo is an event involving immediate and constant interaction among the participants; and that if this location requirement is not met, the game will not be considered to be bingo.

On motion, the amendment was adopted.

Mr. Disspayne moved the previous question, which motion prevailed by the following vote:

Ayes	56
Noes	19
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Buck, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Pickett), Disspayne, Dixon, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Smith, Stallings, Starnes, Tanner, Wallace, Webb, Whitson, Williams and Wix--56.

Representatives voting no were: Atchley, Bragg, Byrd, Chiles, DeBerry, Dills, Elsea, Frensley, McAfee, Montgomery, Moody, Murray, Nance, Rhinehart, Robertson, Ussery, Wolfe, Wood and Work--19.

Representatives present and not voting were: DePriest and Jared--2.

Thereupon, House Bill No. 1896, as amended, failed to receive a constitutional majority by the following vote:

Ayes	45
Noes	35
Present and not voting	4

Representatives voting aye were: Bivens, Brewer, Clark (Davidson), Covington, Davidson, DeBerry, DePriest, Disspayne, Dixon, Ellis, Frensley, Gafford, Gill, Hassell, Hillis, Jared, Johnson, Kelly, Kent, Kernell, King (Shelby), Kisber, Love, McNally, Miller, Moore (Shelby), Murphy, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Severance, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Work, Yelton and Mr. Speaker McWherter--45.

Representatives voting no were: Anderson, Atchely, Bell, Bewley, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Crain, Davis (Pickett), Dills, Duer, Ford, Harrill, Henry, Hurley, King (Washington), McAfee, Montgomery, Moody, Moore (Sullivan), Murray, Nance, Napier, Percy, Robertson, Robinson (Hamilton), Scruggs, Smith, Stallings, Webb, Wolfe and Wood--35.

Representatives present and not voting were: Davis (Gibson), Hudson, McKinney and Starnes--4.

Under the rules, House Bill No. 1896 was re-referred to the Committee on Calendar and Rules.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2139--To make certain provisions, drivers' licenses.

On motion, House Bill No. 2139 was made to conform with Senate Bill No. 1917.

On motion, Senate Bill No. 1917, on same subject, was substituted for House Bill No. 2139.

Mr. Jared moved that Senate Bill No. 1917 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1917 by adding a new section prior to the enactment clause and renumbering the subsequent sections accordingly to read as follows:

"Any person under the age of twenty-one (21) years of age convicted of driving under the influence of an alcoholic beverage shall have his license suspended until he reaches the age of twenty-one years of age."

Mr. Jared moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	51
Noes	26
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Clark (Sumner), Crain, Davidson, Davis (Gibson), Dills, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Kelley, Kent, Kisber, McAfee, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Owen, Percy, Rhinehart, Robertson, Scruggs, Severance, Smith, Stallings, Tanner, Wallace, Whitson, Williams, Wix and Wood--51.

Representatives voting no were: Bragg, Brewer, Chiles, Clark (Davidson), Cobb, Copeland, Covington, DeBerry, Disspayne, Harrill, Hudson, King (Shelby), King (Washington), McKinney, Montgomery, Murphy, Pickering, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Turner (Hamilton), Webb, Wheeler, Wolfe and Work--26.

Representative present and not voting was: DePriest--1.

Thereupon, Senate Bill No. 1917, passed its third and final consideration by the following vote:

Ayes	84
Noes	1
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Moody--1.

Representative present and not voting was: Robinson (Hamilton) --1.

A motion to reconsider was tabled.

House Bill No. 2198--To impose penalty, truck weight violations.

Mr. Gafford moved that House Bill No. 2198 be passed on third and final consideration.

Mr. Gafford moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2198 by deleting the words "not to exceed" from the language of amendatory subsection (d) (1) of Section 1, and by substituting instead the word "of".

On motion, the amendment was adopted.

Mr. Bragg moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

On motion of Mr. Bragg, Amendment No. 1 was withdrawn.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2198 by deleting from Section 1 in item (d) (1) the sentence: "Such fifty dollar (\$50.00) penalty shall be collected by the department of safety but shall be distributable quarterly by the department of revenue to the county in which such violation occurred." and substituting the following:

"Such fifty dollar (\$50.00) penalty shall be collected by the department of safety but shall be distributable quarterly by the department of revenue as follows:

(A) fifteen dollars (\$15.00) to the State Treasurer for the purpose of providing funds to aid in meeting the cost of benefits provided for attorneys general, state judges, county judges and county officials by Chapter 34-37, of Title 8, and

(B) thirty-five dollars (\$35.00) to the county in which such violation occurred."

and FURTHER by deleting from Section 1 in item (d) (2) the sentence: "Such additional assessment imposed hereunder shall be collected by the department of safety but shall be distributable quarterly by the department of revenue to the county in which such violation occurred." and substituting the following:

"Such additional assessment imposed hereunder shall be collected by the department of safety but shall be distributable quarterly by the department of revenue as follows:

(A) fifteen dollars (\$15.00) to the State Treasurer for the purpose of providing funds to aid in meeting the cost of benefits provided for attorneys general, state judges, county judges and county officials by Chapter 34-37 of Title 8, and

(B) thirty-five dollars (\$35.00) to the county in which such violation occurred."

On motion, the amendment was withdrawn.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 2198 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-11-206(a) is amended by deleting the language "a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500) shall be assessed.", and by substituting instead the language "a fine of twenty-five dollars (\$25.00) shall be assessed."

SECTION 2. Tennessee Code Annotated, Section 55-11-206(d)(1) is amended by deleting the language "a fine not to exceed fifty dollars (\$50) shall be imposed.", and by substituting instead the language "a fine of twenty-five dollars (\$25.00) shall be imposed."

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2198, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Senate Joint Resolution No. 150--Relative to support, uniform national drinking age.

Mr. King (Washington) moved that Senate Joint Resolution No. 150 be concurred in, which motion prevailed by the following vote:

Ayes	85
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

Representatives voting no were: Henry and Moody--2.

A motion to reconsider was tabled.

House Bill No. 2129--To make certain provisions, voter registration.

On motion, House Bill No. 2129 was made to conform with Senate Bill No. 2133.

On motion, Senate Bill No. 2133, on same subject, was substituted for House Bill No. 2129.

Mr. Dixon moved that Senate Bill No. 2133 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	1
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

Representative voting no was: Hassell--1.

Representatives present and not voting were: Moore (Shelby) and Nance--2.

A motion to reconsider was tabled.

House Bill No. 2089--To appropriate funds for gerontology program, Memphis State.

Mr. Dixon moved that House Bill No. 2089 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes	14

Representatives voting aye were: Bell, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Hillis, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King

(Washington), Kisber, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--69.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Duer, Harrill, Henry, Hudson, Montgomery, Moody, Robertson, Scruggs and Smith--14.

A motion to reconsider was tabled.

House Bill No. 2145--To increase salary, county court officers.

On motion, House Bill No. 2145 was made to conform with Senate Bill No. 1511.

On motion, Senate Bill No. 1511, on same subject, was substituted for House Bill No. 2145.

Mr. McKinney moved that Senate Bill No. 1511 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1511 by adding the following new section immediately preceding the severability clause section and redesignating the subsequent sections accordingly:

SECTION ____ . Any person who has received an increase in compensation of more than one thousand dollars (\$1000) from a county legislative body effective on or after July 1, 1984, shall not be eligible for any increase provided in this act until January 1, 1985.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1511, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	4
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber,

Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Chiles, Harrill, Murray and Shirley--4.

Representative present and not voting was: Buck--1.

A motion to reconsider was tabled.

House Bill No. 2055--To make certain provisions, residential rental payments.

On motion, House Bill No. 2055 was made to conform with Senate Bill No. 1593.

On motion, Senate Bill No. 1593, on same subject, was substituted for House Bill No. 2055.

Mr. Dixon moved that Senate Bill No. 1593 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes	23
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Brewer, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Elsea, Ford, Gafford, Gaia, Gill, Hillis, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Williams, Wix, Work and Yelton--65.

Representatives voting no were: Anderson, Atchley, Bewley, Buck, Chiles, Clark (Sumner), Copeland, Ellis, Frensley, Harrill, Hassell, Henry, Hudson, Hurley, Moody, Nance, Robertson, Scruggs, Severance, Smith, Whitson, Wolfe and Wood--23.

Representative present and not voting was: Bragg--1.

A motion to reconsider was tabled.

House Bill No. 25--To place certain regulations, alcoholic everage.

On motion, House Bill No. 25 was made to conform with Senate Bill No. 4.

On motion, Senate Bill No. 4, on same subject, was substituted for House Bill No. 25.

Mr. Crain moved that Senate Bill No. 4 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 4 by deleting Section 4 in its entirety and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 57-5-301(e) is amended by deleting the word and figure "nineteen (19)" and the word and figure "eighteen (18)" and substituting instead the words and figure "twenty-one (21)".

FURTHER AMEND by adding the following new sections immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION _____. Tennessee Code Annotated, Section 57-5-301(e) is amended by adding the following to the end of such subsection:

Any person under the age of twenty-one (21) years found to have violated the provisions of this subsection shall have the right to have the records of such violation destroyed in accordance with the provisions of Tennessee Code Annotated, Title 40, Chapter 32, after the passage of six (6) months from the date of the violation. No violation of the provisions of this subsection may at any time be used against the violator in any criminal proceeding.

SECTION _____. Tennessee Code Annotated, Section 57-3-412(a)(3), is amended by adding the following to the end of such paragraph:

Any person under the age of twenty-one (21) years found to have violated the provisions of this paragraph shall have the right to have the records of such violation destroyed in accordance with the provisions of Tennessee Code Annotated, Title 40, Chapter 32 after the passage of six (6) months from the date of the violation. No violation of the provisions of this paragraph may at any time be used against the violator in any criminal proceeding.

SECTION _____. Tennessee Code Annotated, Section 47-3-412(a)(3) is amended by deleting from the third sentence the word and figure "eighteen (18)" and substituting instead the words and figure "Twenty-one (21)".

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 4 by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

SECTION _____. The provisions of this act shall not apply to any person using, possessing, or consuming an alcoholic beverage in connection with a religious service or ceremony. As used in this section unless the context requires otherwise, "religious, service or ceremony" shall include but not be limited to a communion service, bar mitzvah or a bah mitzvah.

On motion, the amendment was adopted.

Mr. Bivens moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 4 by deleting the words and figure "twenty-one" (21) in each section and substituting in lieu thereof the word and figure "twenty-five" (25).

Mr. McNally moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	47
Noes	42

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Disspayne, Elsea, Ford, Frensley, Gill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, Kisber, McAfee, McNally, Moore (Shelby), Murphy, Murray, Napier, Owen, Percy, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Smith, Turner (Hamilton), Turner (Shelby), Wallace, Williams and Wix--47.

Representatives voting no were: Bivens, Bragg, Brewer, Covington, Davis (Pickett), DeBerry, DePriest Dills, Dixon, Duer, Ellis, Gafford, Gaia, Harrill, Hudson, Johnson, Kernell, King (Shelby), King (Washington), Love, McKinney, Miller, Montgomery, Moody, Moore (Sullivan), Naifeh, Nance, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Tanner, Webb, Wheeler, Whitson, Wolfe, Wood, Work and Yelton--42.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 4 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Amendment No. 4 was adopted by the following vote:

Ayes	72
Noes	12
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, King (Shelby), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton--72.

Representatives voting no were: Bragg, DeBerry, Disspayne, Gafford, Hudson, Johnson, Kernell, King (Washington), McKinney, Pruitt, Severance and Webb--12.

Representative present and not voting was: Owen--1.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 4 by deleting Section 9 in its entirety and renumbering subsequent sections accordingly.

Mr. Rhinehart moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	56
Noes	32

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Clark (Davidson), Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Ellis, Elsea, Gafford, Gaia, Gill, Hudson,

Hurley, Jared, Johnson, Kelley, Kernell, King (Shelby), King (Washington), Kisber, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifen Mapier, Owen Phillips, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington) Scruggs, Severance, Sir, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson Wix and Work--56.

Representatives voting no were: Anderson, Atchley, Bewley, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davis (Gibson), Dills, Ford, Frensley, Harrill, Hassell, Hillis, Kent, Love, McNally, Nance, Percy, Robertson, Robinson (Davidson), Shirley, Smith, Stallings, Turner (Hamilton), Turner (Shelby), Williams, Wolfe, Wood and Yelton --32.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 4 by adding a new section which reads:

"Section _____. Notwithstanding any laws to the contrary, no employer shall terminate any employee as a result of the age of majority for the possession, consumption, and transportation of alcoholic beverages being increased from 19 to 21."

Amendment No. 6 was adopted by the following vote:

Ayes	81
Noes	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Yelton--81.

Representatives voting no were: Chiles, Frensley, McNally and Stallings--4.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 4 by deleting from the effective date section the date "July 1, 1984 and substituting instead the date "August 1, 1984".

Amendment No. 7 was adopted by the following vote:

Ayes	85
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

Representative voting no was: McKinney--1.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 4 by deleting the amendatory language of House Judiciary Committee Amendment No. 4 and substituting instead the following:

Section _____. Notwithstanding the provisions of this act to the contrary, any person who is not twenty-one (21) years of age on the effective date of this act but who was born before August 1, 1965 shall be of legal age to purchase, consume or possess alcoholic beverages, wine or beer. Any person described above shall also be entitled to a full face photograph on such person's motor vehicle operator's or chauffeur's license.

Amendment No. 8 was adopted by the following vote:

Ayes	59
Noes	28

Representatives voting aye were: Anderson, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Hassell, Henry, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Whitson, Williams and Wix--59.

Representatives voting no were: Atchley, Bell, Bragg, Clark (Sumner), Copeland, Davis (Gibson), DeBerry, Dixon, Gill, Harrill, Hillis, Hudson, Hurley, Jared, McAfee, McKinney, Moore (Shelby), Naifeh, Nance, Robinson (Davidson), Robinson (Washington), Shirley, Stallings, Tanner, Webb, Wheeler, Wolfe and Wood--28.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 9

Amend Senate Bill No. 4 by deleting from the final amendatory section of House Judiciary Committee Amendment No. 2 the numbers and letter "47-3-412 (a) (3)" and substituting instead the numbers and letter "57-3-412 (a) (3)".

Amendment No. 9 was adopted by the following vote:

Ayes	83
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe and Wood--83.

Mr. McNally moved the previous question, which motion failed by the following vote:

Ayes	39
Noes	45

Representatives voting aye were: Atchley, Bell, Bewley, Buck, Byrd, Clark (Davidson), Copeland, Crain, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Ford, Frensley, Gill, Harrill, Hurley, Kelley, McAfee, McNally, Miller, Moore (Shelby), Murray, Nance, Percy, Phillips, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Smith, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Wix, Wolfe and Wood--39.

Representatives voting no were: Anderson, Bivens, Bragg, Brewer, Clark (Sumner), Cobb, Covington, Davidson, DeBerry, DePriest, Dixon, Ellis, Elsea, Gafford, Hassell, Hillis, Hudson, Jared, Johnson, Kent, King (Washington), Kisber, Love, McKinney, Montgomery, Moody, Moore (Sullivan), Murphy, Naifeh, Napier, Owen, Pickering, Pruitt,

Rhinehart, Robertson, Scruggs, Severance, Stallings, Starnes, Tanner, Webb, Wheeler, Williams, Work and Yelton--45.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 10

Amend Senate Bill No. 4 by adding the following new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION ____. Notwithstanding any other provisions of law to the contrary, the provisions of this act shall not apply to any person who is nineteen (19) or twenty (20) years of age when such person is accompanied by a parent(s) or legal guardian.

Mr. McKinney moved to amend Amendment No. 10 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 10

Amend Amendment No. 10 by adding the following to the end of the amendatory language of Amendment No. 10:

Provided, however, such parent(s) or legal guardian shall be civilly liable for any damage or injury proximately caused by a person nineteen (19) or twenty (20) years of age consuming alcoholic beverages, wine or beer pursuant to this section.

Amendment No. 1 to Amendment No. 10 was adopted by the following vote:

Ayes	72
Noes	8

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Kelley, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood and Yelton--72.

Representatives voting no were: Anderson, Buck, Gafford, Henry, Kent, McNally, Napier and Percy--8.

Thereupon, Amendment No. 10, as amended was adopted by the following vote:

Ayes	44
Noes	39

Representatives voting aye were: Bivens, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dixon, Ellis, Ford, Gafford, Gaia, Harrill, Hillis, Hudson, Hurley, Jared, Johnson, Kernell, King (Washington), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Sir, Stallings, Tanner, Ussery, Webb and Wheeler--44.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Clark (Sumner), Copeland, Crain, Dills, Elsea, Frensley, Gill, Hassell, Henry, Kelley, Kent, McAfee, McNally, Montgomery, Moody, Moore (Shelby), Nance, Percy, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Williams, Wix, Wolfe and Wood--39.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 11

Amend Senate Bill No. 4 by adding the following new sections immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION _____. There is created in the department of mental health and mental retardation substance abuse early intervention service programs. There shall be fifteen (15) additional programs offered across the state in both urban and rural areas. These programs shall accept referrals from schools, juvenile courts, public or private social service agencies and parents. These programs shall include not less than four (4) months of structured sessions for each participant emphasizing:

- (1) responsible decision making skills;
- (2) communication skills;
- (3) peer pressures;
- (4) alcohol and drug education; and
- (5) self enhancement.

SECTION _____. There is created in the department of mental health and mental retardation at least ninety (90) beds for residential care and treatment for substance abusing youth who would not otherwise be financially able to receive the service. These residential services shall provide twenty-four (24) hour a day, seven (7) day a week care to youth aged thirteen (13) to twenty-one (21) in each of the three (3) grand divisions of the state.

SECTION ____. Tennessee Code Annotated, Section 49-1-204, is amended by adding at the end of subsection (a) the following:

Such courses shall include an area of instruction dealing with the effects of the consumption of alcoholic beverages on driving abilities.

SECTION ____. The provisions of this act do not constitute and appropriation of funds and no funds shall be expended to implement the provisions of this act unless such funds are appropriated pursuant to the provisions of the General Appropriations Act.

Mr. Smith moved that Amendment No. 11 be tabled, which motion prevailed by the following vote:

Ayes	48
Noes	38
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davis (Gibson), Dills, Duer, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, McAfee, McNally, Moore (Shelby), Nance, Napier, Percy, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Severance, Shirley, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wolfe, Wood and Yelton--48.

Representatives voting no were: Bivens, Bragg, Brewer, Cobb, Covington, Davidson, DeBerry, DePriest, Disspayne, Dixon, Ellis, Gafford, Gaia, Hudson, Johnson, Kernell, King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Pickering, Pruitt, Robinson (Davidson), Robinson (Washington), Scruggs, Sir, Tanner, Webb, Whitson, Williams and Work--38.

Representative present and not voting was: Owen--1.

Mr. Kisber moved the previous question, which motion failed by the following vote:

Ayes	42
Noes	43

Representatives voting aye were: Bivens, Bragg, Cobb, Davidson, Davis (Pickett), DePriest, Disspayne, Dixon, Gaia, Hillis, Hudson, Hurley, Jared, Johnson, Kernell, King (Washington), Kisber, McKinney, Miller, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Sir, Stallings, Starnes, Tanner, Webb, Wheeler, Whitson, Wix, Work, Yelton--42.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davis (Gibson), Dills, Duer, Elsea, Ford, Frensley, Gill, Hassell, Henry, Kelley, Kent, Love, McAfee, McNally, Montgomery, Moore (Shelby), Nance, Napier, Phillips, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Smith, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Williams, Wolfe, Wood--43.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 12

Amend Senate Bill No. 4 by deleting the effective date section in its entirety and substituting instead the following:

SECTION ____ . The provisions of this act shall take effect when the states of Alabama, Mississippi, Georgia, and Kentucky raise the legal age for the consumption of alcoholic beverages within their states to the age specified in this act.

Mr. Clark (Davidson) moved that Amendment No. 12 be tabled, which motion prevailed by the following vote:

Ayes	51
Noes	29

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davis (Gibson), Davis (Pickett), Dills, Elsea, Ford, Frensley, Gill, Hassell, Hurley, Jared, Kelley, Kent, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Nance, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Williams, Wolfe and Wood--51.

Representatives voting no were: Bivens, Brewer, Covington, Davidson, DePriest, Dispayne, Dixon, Duer, Gafford, Gaia, Hillis, Hudson, Johnson, Kernell, King (Washington), Kisber, McKinney, Moody, Moore (Sullivan), Murray, Owen, Pruitt, Robinson (Washington), Stallings, Tanner, Ussery, Webb, Work and Yelton--29.

Ms. Gaia moved to amend as follows:

AMENDMENT NO. 13

Amend Senate Bill No. 4 by adding a new section which reads:

"Section ____ . The provisions of this Act shall not apply to any individual who is nineteen (19) years of age or over and is not licensed in any state or territory of the United States or any other nation for the operation of a motor vehicle and who files a sworn affidavit with the retailer stating such fact."

Mr. Smith moved that Amendment No. 13 be tabled, which motion prevailed by the following vote:

Ayes	49
Noes	32
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Buck, Byrd, Clark (Davidson), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), Duer, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, Kisber, McAfee, Miller, Montgomery, Moore (Shelby), Murray, Nance, Napier, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Wix, Wolfe and Wood--49.

Representatives voting no were: Bivens, Bragg, Brewer, Chiles, Cobb, Covington, DeBerry, Disspayne, Dixon, Ellis, Gafford, Gaia, Hudson, Johnson, Kernell, McKinney, McNally, Moody, Moore (Sullivan), Naifeh, Owen, Phillips, Pruitt, Robinson (Washington), Scruggs, Severance, Tanner, Ussery, Wheeler, Williams, Work and Yelton--32.

Representative present and not voting was: Love--1.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 14

Amend Senate Bill No. 4 by deleting the language of Senate Amendment No. 2.

The Speaker ruled this Amendment out of order.

Mr. Robinson (Davidson) moved the previous question, which motion failed by the following vote:

Ayes	43
Noes	40
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Copeland, Crain, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Hillis, Hurley, Kelley, Kent, Love, McAfee, McNally, Moore (Shelby), Nance, Percy, Phillips, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Smith, Stallings, Turner (Hamilton), Turner (Shelby), Wallace, Wix, Wolfe and Wood--43.

Representatives voting no were: Anderson, Bivens, Bragg, Clark (Sumner), Cobb, Covington, Davidson, DeBerry, Dixon, Ellis, Gafford, Gaia, Henry, Hudson, Jared, Kernell, King (Washington), Kisber, McKinney, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh,

Napier, Owen, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Washington), Scruggs, Sir, Tanner, Ussery, Webb, Williams, Work and Yelton--40.

Representatives present and not voting were: Miller and Whitson--2.

Mr. Clark (Sumner) moved to amend as follows:

AMENDMENT NO. 15

Amend Senate Bill No. 4 by adding before the severability clause the following language and by renumbering the subsequent sections accordingly:

SECTION . Tennessee Code Annotated, Section 57-3-412 (a), is amended by adding the following new subpart:

() Any person who purchases any alcoholic beverage for or at the request of a person under the age of twenty-one (21) years shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars (\$100) and shall be sentenced to not more than thirty (30) days of community service work.

SECTION . Tennessee Code Annotated, Section 57-5-301, is amended by deleting subsection (d) in its entirety and substituting instead the following:

(d) (1) It shall be unlawful and punishable as provided in Tennessee Code Annotated, Section 57-5-303, for any minor to purchase or attempt to purchase any such beverage.

(2) Any person who purchases any such beverage for or at the request of a person under the age of twenty-one (21) years shall be guilty of a misdemeanor and upon conviction shall be punished by a fine as provided in Tennessee Code Annotated, Section 57-5-303, and not more than thirty (30) days of community service work.

Mr. Hudson moved to amend Amendment No. 15 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 15

Amend Amendment No. 15 by adding the following:

this section shall not apply to parents who purchase alcoholic beverages for their children who are under the age of majority

Amendment No. 1 to Amendment No. 15 was adopted by the following vote:

Ayes	54
Noes	22
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bivens, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DeBerry, Disspayne, Ellis, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Wheeler, Williams and Yelton--54.

Representatives voting no were: Atchley, Bewley, Buck, Davis (Pickett), Duer, Elsea, Gill, Kent, McAfee, McNally, Moore (Shelby), Nance, Percy, Pickering, Rhinehart, Shirley, Starnes, Turner (Hamilton), Webb, Whitson, Wolfe and Wood--22.

Representatives present and not voting were: Clark (Davidson) and Jones--2.

Thereupon Amendment No. 15, as amended, was adopted by the following vote:

Ayes	79
Noes	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood, Yelton--79.

Representatives voting no were: Bragg, Buck, Hassell, Moody, Moore (Shelby) and Shirley--6.

Mr. Dixon moved to amend as follows:

AMENDMENT NO. 16

Amend Senate Bill No. 4 by deleting the enactment clause in its entirety and substituting in lieu thereof the following:

"SECTION: __. This Act shall take effect when the legal drinking age established by the legislature of each state which is contiguous to the State of Tennessee shall be twenty-one (21) years of age or older."

Mr. Smith moved that Amendment No. 16 be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	23
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Pickett), Dills, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, Love, McAfee, McNally, Miller, Moore (Shelby), Murphy, Murray, Nance, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Williams, Wolfe and Wood--55.

Representatives voting no were: Bivens, Covington, DeBerry, Disspayne, Dixon, Gafford, Hudson, Johnson, Jones, Kernell, King (Washington), Kisber, McKinney, Montgomery, Moody, Moore (Sullivan), Naifeh, Pruitt, Robinson (Washington), Tanner, Wheeler, Whitson and Yelton--23.

Representative present and not voting was: Owen--1.

Mr. Bivens moved to amend as follows:

AMENDMENT NO. 17

Amend Senate Bill No. 4 by deleting the words and figures "twenty-one (21)" wherever they appear and by substituting instead the words and figures "twenty-four (24)".

Mr. McNally moved that Amendment No. 17 be tabled, which motion prevailed by the following vote:

Ayes	56
Noes	30

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Covington, Davidson, Davis (Gibson), Dills, Disspayne, Duer, Elsea, Ford, Gaia, Gill, Hassell, Henry, Hillis, Hurley, Kelley, Kent, Kisber, Love, McAfee, McNally, Miller, Moore (Shelby), Murphy, Murray, Napier, Owen, Percy, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Williams, Wix, Wolfe and Wood--56.

Representatives voting no were: Bivens, Cobb, Davis (Pickett), DeBerry, DePriest, Dixon, Ellis, Gafford, Harrill, Hudson, Johnson, Kernell, King (Washington), McKinney, Montgomery, Moody, Moore (Sullivan), Naifeh, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Stallings, Tanner, Webb, Wheeler, Whitson, Work and Yelton--30.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 18

Amend Senate Bill No. 4 by deleting from the effective date clause the date "1984" and by substituting instead the date "1988".

Mr. Robinson (Davidson) moved that Amendment No. 18 be tabled, which motion prevailed by the following vote:

Ayes	65
Noes	17

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Williams, Wix, Wolfe, Wood and Yelton--65.

Representatives voting no were: Brewer, Covington, DeBerry, Dixon, Gafford, Gaia, Hudson, Johnson, McKinney, Moody, Moore (Sullivan), Naifeh, Pruitt, Robinson (Washington), Tanner, Wheeler and Work--17.

Mr. Wallace moved the previous question, which motion failed by the following vote:

Ayes	55
Noes	31
Present and not voting	3

Representatives voting aye were: Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Kelley, Kent, Love, McAfee, McNally, Miller, Moore (Shelby), Moore (Sullivan), Nance, Napier, Percy, Phillips, Rhinehart, Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Whitson, Wix, Wolfe and Wood--55.

Representatives voting no were: Anderson, Bivens, Clark (Sumner), Cobb, Covington, DeBerry, Disspayne, Gafford, Henry, Johnson, Jones, Kernell, King (Washington), Kisber, McKinney, Montgomery, Moody, Murphy, Murray, Naifeh, Owen, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Tanner, Ussery, Wheeler, Williams and Work--31.

Representatives present and not voting were: Bragg, Brewer and DePriest--3.

Mr. Bivens moved that Senate Bill No. 4 be re-referred to the Committee on Government Operations.

Mr. Smith moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	28
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, McAfee, McNally, Miller, Moore (Shelby), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Scruggs, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Wix, Wolfe and Wood--55.

Representatives voting no were: Bivens, Brewer, Covington, DeBerry, DePriest, Disspayne, Dixon, Gafford, Hudson, Johnson, Jones, Kernell, King (Washington), Kisber, Love, Montgomery, Moody, Moore (Sullivan), Naifeh, Pruitt, Robinson (Washington), Severance, Tanner, Webb, Wheeler, Whitson, Williams and Work--28.

Representative present and not voting was: Bragg--1.

Mr. McKinney moved to amend as folows:

AMENDMENT NO. 19

Amend Senate Bill No. 4 by creating a new section to read as follows.

"There is authorized drug and alcoholic treatment centers for young people of this state if money is appropriated in the 1984-1985 fiscal year."

Amendment No. 19 was adopted by the following vote:

Ayes	87
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

Representative present and not voting was: Henry--1.

Mr. Kernell moved to amend as follows:

AMENDMENT NO. 20

Amend Senate Bill No. 4 by adding a new section as follows:

Section _____. The provisions of this act shall not apply in any county until it is approved by a referendum vote in that county.

Mr. Robertson moved that Amendment No. 20 be tabled, which motion prevailed by the following vote:

Ayes	63
Noes	10
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Duer, Elsea, Frensley, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe and Wood--63.

Representatives voting no were: Covington, DeBerry, Dixon, Gaia, Kernell, Moody, Moore (Sullivan), Naifeh, Tanner and Yelton--10.

Representatives present and not voting were: Bragg and Jones--2.

Mr. Kisber moved that Senate Bill No. 4 be placed on the next available place on the next available Calendar.

Mr. Robinson (Davidson) moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	66
Noes	20
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Kelley, Kent, Love, McAfee, McKinney, McNally, Moore (Shelby), Murphy, Murray, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wix, Wolfe, Wood and Yelton--66.

Representatives voting no were: DeBerry, Dixon, Gafford, Johnson, Jones, Kernell, King (Washington), Kisber, Miller, Montgomery, Moody, Moore (Sullivan), Naifeh, Owen, Pruitt, Stallings, Tanner, Whitson, Williams and Work--20.

Representatives present and not voting were: Bragg and DePriest--2.

Mr. Bivens moved to amend as follows:

AMENDMENT NO. 21

Amend Senate Bill No. 4 by adding a new section as follows:

SECTION ____. The provisions of this act shall only apply to alcoholic beverages having an alcoholic content greater than 5 percent.

Mr. McKinney moved that Amendment No. 21 be tabled, which motion prevailed by the following vote:

Ayes	62
Noes	23
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy,

Nance, Napier, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Williams, Wix, Wolfe and Wood--62.

Representatives voting no were: Bivens, DeBerry, Gafford, Gaia, Harrill, Hudson, Johnson, Kernell, King (Washington), Love, Moore (Sullivan), Murray, Naifeh, Owen, Pickering, Pruitt, Robinson (Washington), Severance, Tanner, Webb, Wheeler, Whitson and Yelton --23.

Representative present and not voting was: Bragg--1.

Mr. Clark (Sumner) moved the previous question, which motion prevailed by the following vote:

Ayes	66
Noes	18
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Kelley, Kent, Love, McAfee, McKinney, McNally, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Whitson, Wix, Wolfe, Wood and Work --66.

Representatives voting no were: Bivens, DeBerry, Disspayne, Dixon, Henry, Johnson, Jones, King (Washington), Kisber, Montgomery, Moody, Owen, Pruitt, Robertson, Scruggs, Tanner, Ussery and Williams --18.

Representatives present and not voting were: Bragg, Brewer, Kernell and Miller--4.

Thereupon, Senate Bill No. 4, as amended, passed its third and final consideration by the following vote:

Ayes	74
Noes	12
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally,

Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wix, Wolfe, Wood, Work and Yelton --74.

Representatives voting no were: Bivens, Disspayne, Hudson, Johnson, Jones, Moody, Moore (Sullivan), Pruitt, Robinson (Davidson), Webb, Wheeler and Whitson--12.

Representatives present and not voting were: Brewer, DeBerry, Kernell and Williams--4.

A motion to reconsider was tabled.

EXPLANATION OF VOTE

The reason we voted against SB #4 is because it did not include the educational provisions and alcohol treatment that Representative Mike Murphy's bill included.

Steve Bivens
Clyde B. Webb

EXPLANATION OF VOTE

I voted for this bill (Senate Bill No. 4) of the amendment authority funding for the educational centers for drug & alcohol abuse centers.

W. S. Owen

EXPLANATION OF VOTE

I voted red on Senate Bill No. 4 because it was watered down. I like the other drinking age bill much better. I supported it & will continue to support that bill.

Zane Whitson, Jr.

Mr. Brewer moved that House Bill No. 2189 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

Mr. Robertson moved that House Bill No. 1366 be placed on the Calendar for Thursday, May 17, 1984, which motion prevailed.

House Bill No. 1765--To amend Section 65-4-101, Code.

On motion, House Bill No. 1765 was made to conform with Senate Bill No. 2106.

On motion, Senate Bill No. 2106, on same subject, was substituted for House Bill No. 1765.

Mr. Murphy moved that Senate Bill No. 2106 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2106 by adding at the end of Section One the following:

Provided, further, however, that this Act does not affect, modify or lessen the Commission's authority over public utilities that are subject to regulation pursuant to Title 5 of Chapter 65 of the Tennessee Code Annotated.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2106, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings', Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--83.

Representative present and not voting was: Jones--1.

A motion to reconsider was tabled.

Ms. Moore (Sullivan), moved that House Bill No. 1737 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

House Bill No. 2038--To exempt certain motor carriers from tax.

On motion, House Bill No. 2038 was made to conform with Senate Bill No. 1615.

On motion, Senate Bill No. 1615, on same subject, was substituted for House Bill No. 2038.

Mr. Bragg moved that Senate Bill No. 1615 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Joint Resolution No. 359--Relative to confirming appointment, Toy F. Reid, Board of Education.

On motion, House Joint Resolution No. 359 was made to conform with Senate Joint Resolution No. 171.

On motion, Senate Joint Resolution No. 171, on same subject, was substituted for House Joint Resolution No. 359.

Ms. Montgomery moved that Senate Joint Resolution No. 171 be concurred in, which motion prevailed by the following vote:

Ayes	81
Noes	0
Present and not voting	4

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives present and not voting were: Dixon, McKinney, Pruitt and Shirley--4.

A motion to reconsider was tabled.

House Joint Resolution No. 360--Relative to confirming appointment, Richard E. Ray, Board of Education.

On motion, House Joint Resolution No. 360 was made to conform with Senate Joint Resolution No. 173.

On motion, Senate Joint Resolution No. 173, on same subject, was substituted for House Joint Resolution No. 360.

Mr. Anderson moved that Senate Joint Resolution No. 173 be concurred in, which motion prevailed by the following vote:

Ayes	77
Noes	1
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--77.

Representative voting no was: Bragg--1.

Representatives present and not voting were: Dixon, McKinney and Shirley--3.

A motion to reconsider was tabled.

House Joint Resolution No. 362--Relative to confirming appointment, William H. Swain, Board of Education.

On motion, House Joint Resolution No. 362 was made to conform with Senate Joint Resolution No. 172.

On motion, Senate Joint Resolution No. 172, on same subject, was substituted for House Joint Resolution No. 362.

Mr. Elsea moved that Senate Joint Resolution No. 172 be concurred in, which motion prevailed by the following vote:

Ayes	83
Noes	0
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--83.

Representatives present and not voting were: Dixon, Love, McKinney and Shirley--4.

A motion to reconsider was tabled.

House Joint Resolution No. 363--Relative to confirming appointment, Nelson Andrews, Board of Education.

On motion, House Joint Resolution No. 363 was made to conform with Senate Joint Resolution No. 169.

On motion, Senate Joint Resolution No. 169, on same subject, was substituted for House Joint Resolution No. 363.

Mr. Chiles moved that Senate Joint Resolution No. 169 be concurred in, which motion prevailed by the following vote:

Ayes	81
Noes	2
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Bragg and Brewer--2.

Representatives present and not voting were: Dixon, McKinney and Shirley--3.

A motion to reconsider was tabled.

House Joint Resolution No. 364--Relative to confirming appointment, Frank Gorrell, Board of Education.

On motion, House Joint Resolution No. 364 was made to conform with Senate Joint Resolution No. 168.

On motion, Senate Joint Resolution No. 168, on same subject, was substituted for House Joint Resolution No. 364.

Mr. Cobb moved that Senate Joint Resolution No. 168 be concurred in, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representative present and not voting was: McKinney--1.

A motion to reconsider was tabled.

House Joint Resolution No. 365--Relative to confirming appointment, Cynthia Bond, Board of Education.

On motion, House Joint Resolution No. 365 was made to conform with Senate Joint Resolution No. 175.

On motion, Senate Joint Resolution No. 175, on same subject, was substituted for House Joint Resolution No. 365.

Mr. Crain moved that Senate Joint Resolution No. 175 be concurred in, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representative present and not voting was: McKinney--1.

A motion to reconsider was tabled.

House Joint Resolution No. 366--Relative to confirming appointment, Paul Summers, Board of Education.

On motion, House Joint Resolution No. 366 was made to conform with Senate Joint Resolution No. 174.

On motion, Senate Joint Resolution No. 174, on same subject, was substituted for House Joint Resolution No. 366.

Mr. Stallings moved that Senate Joint Resolution No. 174 be concurred in, which motion prevailed by the following vote:

Ayes	89
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

Representative present and not voting was: McKinney--1.

A motion to reconsider was tabled.

House Joint Resolution No. 367--Relative to confirming appointment, S. L. Kopald, Jr., Board of Education.

On motion, House Joint Resolution No. 367 was made to conform with Senate Joint Resolution No. 170.

On motion, Senate Joint Resolution No. 170, on same subject, was substituted for House Joint Resolution No. 367.

Ms. Hassell moved that Senate Joint Resolution No. 170 be concurred in, which motion prevailed by the following vote:

Ayes	85
Noes	1
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

Representative voting no was: Bragg--1.

Representatives present and not voting were: Dixon, Love and McKinney--3.

A motion to reconsider was tabled.

House Joint Resolution No. 485--Relative to confirming appointment of Cathy Kemp, Board of Education.

On motion, House Joint Resolution No. 485 was made to conform with Senate Joint Resolution No. 219.

On motion Senate Joint Resolution No. 219, on same subject, was substituted for House Joint Resolution No. 485.

Mr. Rhinehart moved that Senate Joint Resolution No. 219 be concurred in, which motion prevailed by the following vote:

Ayes	81
Noes	1
Present and not voting	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

Representative voting no was: Bivens--1.

Representatives present and not voting were: DeBerry, Dixon, Gafford, Love, Pruitt, Shirley and Tanner--7.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1955--To allow payroll deductions, certain state employee associations.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Amendment No. 19; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Rhinehart moved that the rules be suspended for the immediate consideration of House Bill No. 1955, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1955--To allow payroll deductions, certain employee dues.

SENATE AMENDMENT NO. 19

Amend House Bill No. 1955 by deleting the amendatory language of Section 1(a) (1) (A) in its entirety and by substituting in lieu thereof the following:

"(A) "employee" means an officer or employee who is a regularly employed, full time employee of the executive branch of state government;"

AND FURTHER AMEND by deleting the amendatory language of Section 1(a) (1) (B) in its entirety and by substituting in lieu thereof the following:

"(B) "state agency" means any department, commission, board, office or other agency of the executive branch of state government;"

AND FURTHER AMEND by deleting the amendatory language of Section 1(a) (1) (C) in its entirety and by substituting in lieu thereof the following:

"(C) "executive branch" means all state agencies, as that term is defined herein, other than: legislative and judicial state agencies; the universities, insitutions, agencies and programs under the jurisdiction of the University of Tennessee Board of Trustees and institutions; and agencies and programs under the jurisdiction of both the State Board of Regents and any one of the following: Austin Peay State University, East Tennessee State University, Memphis State University, Middle Tennessee State University, Tennessee State University or Tennessee Technological University; and"

AND FURTHER AMEND in Section 1(a) (2) by deleting the words "other than deductions for the purpose of contributing to a political action committee" and by substituting in lieu thereof the words "for the payment of membership dues";

AND FURTHER AMEND in Section 1(a) (2) (D) by deleting the period (.) at the end thereof and by substituting in lieu thereof a semicolon (;);

AND FURTHER AMEND in Section 1(a) (2) (E) by deleting the word "and" at the end thereof;

AND FURTHER AMEND in Section 1(a) (2) (F) by deleting the period (.) at the conclusion thereof and by substituting the word and punctuation "; and";

AND FURTHER AMEND in Section 1(a) (2) by adding a new subdivision (G) immediately following subdivision (F) which reads as follows:

"(G) is an independent association that will not merge or join with another employee or labor organization without over fifty percent (50%) of its members affirmatively voting to become so merged or joined."

AND FURTHER AMEND by deleting Section 1(a)(3) in its entirety and by renumbering the subsequent subdivisions accordingly;

AND FURTHER AMEND in the original Section 1(a)(5) by deleting the second and third sentences in their entirety and by substituting in lieu thereof the following:

"The commissioner may request an employee association to file an annual certification that it complies with all the requirements of this statute. Decisions by the Department of Finance and Administration with regard to an employee association's ineligibility to receive automatic payroll deductions shall not be final until audited and approved by the Comptroller."

AND FURTHER AMEND in Section 2(b) by adding a new subsection which reads as follows:

"(3) Any employee or other person who procures or attempts to procure, or causes or induces any other person to procure or attempt to procure an automatic deduction authorization form provided for in this section by fraud, misstatement of material fact, misrepresentation of the authenticity of a signature or in knowing and willful violation of this Act shall be guilty of gross misconduct. Any such automatic deduction authorization form shall be void and shall be of no effect."

AND FURTHER AMEND in Section 3(c) by inserting between the word "procedures" and the word "shall" the punctuation and words", in addition to the procedures promulgated by the Department of Finance and Administration pursuant to Section 5 of this Act,".

AND FURTHER AMEND in Section 3(c) by inserting between the word "compensation" and the word "to" the words "for the payment of membership dues".

AND FURTHER AMEND in Section 3(c)(1) by inserting between the word "deduction" and the word "an" in the first line the words "for the payment of membership dues".

AND FURTHER AMEND in Section 3(c)(1) by deleting the last two sentences in their entirety.

AND FURTHER AMEND in Section 3(c)(2) by inserting between the word "deductions" and the word "from" in the first line the words "for the payment of membership dues".

AND FURTHER AMEND in Section 3(c)(3) by inserting between the word "deductions" and the word "as" in the first line the words "for the payment of membership dues".

AND FURTHER AMEND in Section 3(c)(3) by inserting between the word "any" and the word "deductions" in the fifth line the word "such".

AND FURTHER AMEND in Section 3(c)(4) by deleting the words "and the chief fiscal officers of the institutions of higher education, state technical institutes or state vocational schools" and by substituting in lieu thereof the words "or the appropriate chief fiscal officer".

AND FURTHER AMEND in Section 3(c)(6) by inserting between the word "deductions" and the word "shall" in the first line the words "for the payment of membership dues".

AND FURTHER AMEND by deleting the amendatory language of Section 3(C)(8) in its entirety and by substituting in lieu thereof the following:

"(8) The commissioner of finance and administration or the appropriate chief fiscal officer shall provide to an employee association a complete listing of all employees who have authorized deductions pursuant to this section. The information compiled under this subsection shall not be used by the commissioner of finance and administration or respective chief fiscal officer for any other purpose except that described herein."

AND FURTHER AMEND in Section 3(c) by deleting subdivisions (5), (9), (10), (11), and (12) in their entirety and by renumbering the remaining subdivisions accordingly.

AND FURTHER AMEND in Section 5 (e) by inserting between the word "form" and the word "filed" in the first line the words "for the payment of membership dues".

AND FURTHER AMEND by deleting Section 5 (f) in its entirety and by substituting in lieu thereof the following:

"(f) The procedures governing the payroll deduction of membership dues pursuant to this section shall be in accordance with regulations promulgated by the Commissioner of Finance and Administration in accordance with the Uniform Administrative Procedures Act. The procedures governing payroll deduction for the payment of membership dues in effect on June 1, 1983 shall be deemed fully and duly promulgated except to the extent they conflict with this Act, and shall remain in full force and effect unless altered or amended by the Legislature or the Commissioner of Finance and Administration. Any employee association receiving funds by payroll deduction upon passage of this Act shall continue to receive such funds by payroll deduction for a minimum of one hundred and eighty (180) days from the effective date of this Act."

AND FURTHER AMEND by deleting the amendatory language of Section 6 in its entirety and by substituting in lieu thereof the following:

"Tennessee Code Annotated, Section 8-23-204 is amended by adding a new subsection which reads as follows:

(g) If an employee association receiving membership dues by payroll deduction becomes joined or affiliated through merger or otherwise with another employee or labor organization, any member of the employee association may

revoke his automatic deduction authorization form immediately or at any other time of his choosing by notifying the Department of Finance and Administration or the appropriate chief fiscal officer that he wishes to revoke his authorization.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 19, which motion prevailed by the following vote:

Ayes	86
Noes	5

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--86.

Representatives voting no were: Anderson, Hudson, Montgomery, Nance and Scruggs--5.

A motion to reconsider was tabled.

Senate Bill No. 1465--To make provisions, theft, certain cable television services.

Mr. Owen moved that Senate Bill No. 1465 be passed on third and final consideration.

Mr. Scruggs moved that Senate Bill No. 1465 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

Mr. Murphy moved that House Bill No. 1978 be placed on the Calendar for Thursday, May 17, 1984, which motion prevailed.

House Bill No. 1440--To create criminal offense of aggravated child abuse.

On motion, House Bill No. 1440 was made to conform with Senate Bill No. 1457.

On motion, Senate Bill No. 1457, on same subject, was substituted for House Bill No. 1440.

Mr. Dills moved that Senate Bill No. 1457 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1457 by deleting subsection (d) of the amendatory language of Section 1 and substituting instead the following:

(d) Nothing in this section shall be construed as preventing or precluding any person who commits an act that is prohibited by this section as well one (1) or more other Sections of Tennessee Code Annotated from being prosecuted and convicted under any such applicable section.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1457 by deleting from the subsection (c) of the amendatory language of Section 1 the words and figures "two (2) nor more than ten (10) years" and by substituting instead the words and figures "one (1) nore more than five (5) years".

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1457 by deleting from the first sentence of subsection (a) of the amendatory language of Section 1 the words "intends to commit" and substituting instead the word "commits".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1457, as amended, passed its third and final consideration by the following vote:

Ayes	87
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering,

Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

Representative present and not voting was: Moody--1.

A motion to reconsider was tabled.

House Bill No. 1441--To amend Section 47-9-407, Code.

On motion, House Bill No. 1441 was made to conform with Senate Bill No. 1660.

On motion, Senate Bill No. 1660, on same subject, was substituted for House Bill No. 1441.

Mr. Dills moved that Senate Bill No. 1660 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

Representative voting no was: Cobb--1.

A motion to reconsider was tabled.

House Bill No. 2081--To repeal Section 49-2-501(b)(7), Code.

On motion, House Bill No. 2081 was made to conform with Senate Bill No. 2066.

On motion, Senate Bill No. 2066, on same subject, was substituted for House Bill No. 2081.

Mr. Dills moved that Senate Bill No. 2066 be passed on third and final consideration.

Mr. Dills moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2066 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 49-2-501(b)(7), is amended by adding the following language at the end of the subsection:

This subsection shall only apply to counties having a population of not less than fourteen thousand nine hundred forty (14,940) persons nor more than fifteen thousand (15,000) persons according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2066, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 2124

Senate Bill No. 2124--To make certain provisions, motor vehicle warranties.

Mr. McKinney moved that Senate Bill No. 2124 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 2124 by adding to the definition of "Motor vehicle" in item (b) in Section 1 the following new sentence:

Motor vehicle does not include a "motor home" as defined in Tennessee Code Annotated, Section 55-1-104(d).

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 2124 by inserting in item (b) of Section 1 the words "and subject to the registration and certificate of title provisions in title 55, chapters 1-6" between the words "sold" and "in".

On motion, the amendment was adopted.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 2124 by adding between the words "bicycles" and "and every" in Section 1(b) the words and punctuation ", riding lawnmowers, garden tractors".

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 2124 by adding the following new section immediately before the effective date section:

Section . Any consumer who elects to proceed under this act shall be foreclosed from pursuing any other remedy arising out of the facts and circumstances which gave rise to the claim under this act: provided, however, that no election to proceed under this act shall be deemed to have been made unless, after a reasonable number of attempts to repair have been made, the consumer seeks a replacement vehicle or refund as provided in Section 3 of this act.

Mr. Cobb moved that Amendment No. 8 be tabled, which motion failed by the following vote:

Ayes	32
Noes	53

Representatives voting aye were: Bivens, Buck, Chiles, Cobb, Covington, Dixon, Ford, Frensey, Gaia, Harrill, Henry, Hudson, Hurley, Jones, Kelley, Kernell, King (Washington), McNally, Montgomery, Moody, Moore (Sullivan), Murray, Nance, Phillips, Robinson (Davidson), Shirley, Sir, Starnes, Turner (Shelby), Wallace, Whitson and Williams--32.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Brewer, Byrd, Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Gafford, Gill, Hassell, Hillis, Jared, Johnson, Kent, Kisber, Love, McAfee, McKinney, Murphy, Naifeh, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Smith, Stallings, Tanner, Turner (Hamilton), Ussery, Webb, Wheeler, Wix, Wolfe, Wood, Work and Yelton--53.

Thereupon, on motion, Amendment No. 8 was adopted.

Mr. Tanner moved the previous question, which motion failed by the following vote:

Ayes	57
Noes	30

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Gafford, Gill, Harrill, Hassell, Hillis, Hurley, Jared, Johnson, Jones, Kent, Kisber, Love, McAfee, McKinney, Miller, Murray, Naifeh, Percy, Phillips, Pickering, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Stallings, Starnes, Tanner, Turner (Hamilton), Webb, Wheeler, Whitson, Wix, Wood, Work and Yelton--30.

Representatives voting no were: Atchley, Buck, Cobb, Covington, Frensey, Gaia, Henry, Hudson, Kelley, Kernell, King (Washington), McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Owen, Robertson, Robinson (Davidson), Severance, Shirley, Sir, Smith, Turner (Shelby), Ussery, Wallace, Williams and Wolfe--30.

Mr. DePriest moved the previous question, which motion prevailed by the following vote:

Ayes	70
Noes	16

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford,

Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kisber, Love, McAfee, McKinney, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Webb, Wheeler, Whitson, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--70.

Representatives voting no were: Cobb, Frensley, Gaia, King (Washington), McNally, Miller, Moody, Murphy, Owen, Robertson, Robinson (Hamilton), Sir, Turner (Shelby), Wallace, Williams and Wolfe--16.

Thereupon, Senate Bill No. 2124, as amended, passed its third and final consideration by the following vote:

Ayes	74
Noes	11
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--74.

Representatives voting no were: Cobb, Frensley, Gaia, Hudson, Kelley, Kernell, Montgomery, Moore (Sullivan), Robinson (Davidson), Wallace and Williams--11.

Representatives present and not voting were: Atchley and Robinson (Hamilton)--2.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 131--To continue medical care advisory committee.

On motion, House Bill No 131 was made to conform with Senate Bill No. 1280.

On motion, Senate Bill No. 1280, on same subject, was substituted for House Bill No. 131.

House Bill No. 1623--To extend Commission on Aging.

House Resolution No. 134--Relative to wishing Pat Farmer a speedy recovery.

House Bill No. 2288--To regulate School Board, Monroe County.

House Bill No. 2289--To amend Charter, Clarksville.

House Bill No. 1771--To repeal Chapter 302, Private Acts, 1961.

On motion, House Bill No. 1771 was made to conform with Senate Bill No. 1588.

On motion, Senate Bill No. 1588, on same subject, was substituted for House Bill No. 1771.

House Bill No. 2266--To increase term of county attorney, Sumner County.

On motion, House Bill No. 2266 was made to conform with Senate Bill No. 2233.

On motion, Senate Bill No. 2233, on same subject, was substituted for House Bill No. 2266.

House Bill No. 2282--To levy tax on lodgings, Monteagle.

On motion, House Bill No. 2282 was made to conform with Senate Bill No. 2219.

On motion, Senate Bill No. 2219, on same subject, was substituted for House Bill No. 2282.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, and all House Resolutions be adopted, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shiley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

RESOLUTION LYING OVER

Senate Joint Resolution No. 223--Relative to commending Paul Anthony Pirani.

Under the rules, Senate Joint Resolution No. 223 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 224--Relative to proclaiming "Knife Week".

The Speaker referred Senate Joint Resolution No. 224 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 225--Relative to memory, John Alan Maxwell.

Under the rules, Senate Joint Resolution No. 225 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 236--Relative to honoring Mrs. Martha Rudd.

Under the rules, Senate Joint Resolution No. 236 was referred to the Committee on Calendar and Rules.

FURTHER CONSIDERATION OF SENATE BILL NO. 1525

Senate Bill No. 1525--To regulate inheritance tax.

Mr. Anderson moved that the motion to reconsider Senate Bill No. 1525 be lifted from the table, which motion prevailed.

Mr. Anderson moved that the House reconsider its action in passing Senate Bill No. 1525 on third and final consideration, as amended, which motion prevailed.

Mr. Anderson moved that the House reconsider its action in adopting Amendments Nos. 1 and 2, which motion prevailed.

Mr. Anderson moved that Amendments Nos. 1 and 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1525, passed its third and final consideration by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt,

Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 1704

Senate Bill No. 1704--To regulate Board of Licensing Contractors.

Mr. Wheeler moved that the motion to reconsider Senate Bill No. 1704 be lifted from the table, which motion prevailed.

Mr. Wheeler moved that the House reconsider its action in passing Senate Bill No. 1704 on third and final consideration, as amended, which motion prevailed.

Mr. Wheeler moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Wheeler moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1704 by inserting in subsection (b) of the amendatory language of original Section 10 now renumbered as Section 4, the words and figures "in excess of fifty thousand dollars (\$50,000)" between the words "accepts a bid" and the words "from a contractor".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1704, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart,

Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representative present and not voting was: Hudson--1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1843--To make certain provisions, health care providers.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1843 by amending Section 11(a) to delete the words "may be eligible for payment pursuant to this chapter." from the language of that Section and substituting in lieu thereof the following language:

may receive payment for their per patient expenses (or portion thereof) which may include, but not be limited to, administrative expenses, overhead expenses, and salaries.

Ms. Montgomery moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move House Bill No. 1615 for passage, notwithstanding the

objections of the Executive.

Representative Ralph Yelton

Under the rules, the notice lies over.

Mr. Clark (Sumner) moved that House Resolution No. 123 be recalled from the Committee on Labor and Consumer Affairs, which motion prevailed.

Mr. Clark (Sumner) moved that the rules be suspended for the immediate consideration of House Resolution No. 123, which motion prevailed.

On motion, the resolution was withdrawn.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Resolution No. 138 out of order, which motion prevailed.

House Resolution No. 138--Relative to study, interstate banking --By Wheeler, Naifeh and Tanner.

Mr. Wheeler moved that the rules be suspended for the immediate consideration of House Resolution No. 138, which motion prevailed.

On motion, the resolution was referred to the Committee on Calendar and Rules.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 516--Relative to commending Sue Parsley and Juanita Shults--By Bragg.

Under the rules, House Joint Resolution No. 516 was referred to the Committee on Calendar and Rules

House Joint Resolution No. 517--Relative to honoring Barry McWilliams--By Crain.

Under the rules, House Joint Resolution No. 517 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 518--Relative to commending Representative Nathan F. Ford--By McNally, Bewley and McKinney.

Under the rules, House Joint Resolution No. 518 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 519--Relative to commending James C. Hudson, III--By Ford and McKinney.

Under the rules, House Joint Resolution No. 519 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 520--Relative to commending employees of Legislative Services, Administration and Fiscal Review--By Mr. Speaker McWherter, Henry, McKinney, McNally, Naifeh and Robertson.

Under the rules, House Joint Resolution No. 520 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 521--Relative to commending Representative Nathan F. Ford--By Hurley.

Under the rules, House Joint Resolution No. 521 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 522--Relative to honoring Missy Clair Burrough--By Crain.

Under the rules, House Joint Resolution No. 522 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 524--Relative to honoring John B. Waters--By Atchley and Huskey.

Under the rules, House Joint Resolution No. 524 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 525--Relative to honoring Mr. and Mrs. Robert Dills, Golden Wedding Anniversary--By Dills.

Under the rules, House Joint Resolution No. 525 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 526--Relative to congratulating Mayor Tom Hall--By Moore (Shelby).

Under the rules, House Joint Resolution No. 526 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 529--Relative to commending Chloe Reid--By Scruggs.

Under the rules, House Joint Resolution No. 529 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 530--Relative to commending Dr. L. C. Bryan--By Atchley.

Under the rules, House Joint Resolution No. 530 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 532--Relative to amending Article II, Section 23, State Constitution--By Murphy.

The Speaker referred House Joint Resolution No. 532 to the Committee on Judiciary.

House Resolution No. 137--Relative to naming Claude Hilton "Boatman of the Year"--By Turner (Hamilton) and McAfee.

Under the rules, House Resolution No. 137 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2291--To increase tax rate, Milan Special School District--By Davis (Gibson).

Passed first consideration.

House Bill No. 2292--To make certain provisions, civil service system, Greeneville--By Bewley and Whitson.

Passed first consideration.

House Bill No. 2293--To amend Charter, Dyer--By Davis (Gibson).

Passed first consideration.

House Bill No. 2294--To make certain provisions, electric cooperatives--By Davis (Gibson) and Tanner.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1349--To regulate immunization, school children.

Passed first consideration.

Senate Bill No. 1569--To regulate financing, service-oriented business concerns.

Passed first consideration.

Senate Bill No. 1646--To issue certain bonds, development of certain zones.

Passed first consideration.

Senate Bill No. 2116--To regulate distribution, legislative records, depository libraries.

Passed first consideration.

Senate Bill No. 2128--To regulate issuance, refunding bonds, certain counties.

Passed first consideration.

Senate Bill No. 2158--To clarify eligibility, release classification status.

Passed first consideration.

Senate Bill No. 2204--To regulate removal, vegetation on private property, certain counties.

Passed first consideration.

Senate Bill No. 2236--To allow constables serve certain documents, certain counties.

Passed first consideration.

BILLS WITHDRAWN

On motion of Mr. Stallings, House Bill No. 2125 was recalled from the Committee on Government Operations.

On motion of Mr. Stallings, House Bill No. 2125 was withdrawn from the House.

On motion of Mr. Stallings, House Bill No. 672 was recalled from the Committee on Commerce.

On motion of Mr. Stallings, House Bill No. 672 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 902 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Jared, House Bill No. 902 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 1024 was recalled from the Committee on Judiciary.

On motion of Mr. Jared, House Bill No. 1024 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 1044 was recalled from the Committee on Judiciary.

On motion of Mr. Jared, House Bill No. 1044 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 1310 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Jared, House Bill No. 1310 was withdrawn from the House.

On motion of Mr. Jared, House Bill No. 1315 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Jared, House Bill No. 1315 was withdrawn from the House.

On motion of Mr. Kernell, House Resolution No. 74 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Kernell, House Resolution No. 74 was withdrawn from the House.

LOCAL BILL REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bill No. 1422.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, May 15, 1984: House Bills Nos. 2200, 1468; Senate Joint Resolutions Nos. 223, 225, 236; House Resolution No. 137; House Joint Resolutions Nos. 516, 517, 518, 519, 520, 521, 522, 525, 526, 529, 530 and House Bill No. 1422.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar

for Tuesday, May 15, 1984: House Bills Nos. 1720, 1871, 1905, 1956, 2021, 1824, 2088, 1538, 2207, 2155, 1256, 1365, 1533, 2065, 2137, 938, 2231 and 2195.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

226--Relative to congratulating Mr. and Mrs. Ward Golden;

227--Relative to memory, Charles Joseph Sanders; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1404--To regulate grievance procedures, civil service;

1694--To regulate administration, low-income energy assistance programs;

1728--To enact Dairy Industry Promotion Act;

2242--To change tax rate, Bradford Special School District;

2243--To change tax rate, Gibson County School District; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2069; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1733--To make certain provisions, mortgage revenue bonds;

1734--To define lower and moderate income housing;

1848--To make certain provisions, social services;

1860--To regulate disposal, surplus interests in real property;

2286--To regulate solid waste disposal, Crockett County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1593--To regulate distribution of publications;

2119--To establish American English as official language; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

288--Relative to memorializing Congress to defeat Tax-Exempt Bond Limitation Act; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1057--To make certain provisions, utility districts; substituted for Senate Bill on same subject, amended, and passed by the Senate

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2276; and House Joint Resolutions

Nos. 210, 295, 465, 490, 495, 498, 499, 500, 501 and 505; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 2276; House Joint Resolutions Nos. 210, 295, 465, 490, 495, 498, 499, 500, 501 and 505.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Tuesday, May 15, 1984:

House Bill No. 1057--Jared

Senate Bill No. 1362--Miller

House Bill No. 1593--Stallings

House Bill No. 1810--Webb

House Bill No. 1821--McNally

House Bill No. 2119--Davis (Gibson)

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsors of each having agreed to such addition:

House Bill No. 25--McNally

House Bill No. 1440--Turner (Hamilton), Kent

House Bill No. 2089--Kent

House Joint Resolution No. 365--Davis (Gibson)

House Joint Resolution No. 527--Starnes

House Joint Resolution No. 531--Starnes

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1623, 2089, 2198, 2288 and 2289; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.